

**DISTRICT ATTORNEY  
COUNTY OF NEW YORK  
ONE HOGAN PLACE  
New York, N. Y. 10013  
(212) 335-9000**

OFFICER: ERIK LIMARDO  
TAX NUMBER: 963611

**DISCLOSURE ADVISORY**

For the person named above, whom the People may call as a witness, please be advised as follows.

1. The New York City Police Department (NYPD) substantiated for Erik Limardo allegations from May 15, 2018, of Fail to Properly Search – Vehicle – Department Vehicle, and Found Property – in Department Vehicle – Controlled Substance.
2. NYPD substantiated for Erik Limardo an allegation from September 8, 2018, of the minor procedural violation of Memobook Incomplete/Improper.
3. As of May 14, 2021, NYPD has pending for Erik Limardo an allegation from February 25, 2021, of Disputed Summons - SAP (C-Summons) - Copy of Summons Issued.
4. As of May 14, 2021, NYPD has pending for Erik Limardo allegations from April 1, 2021, of Disputed Arrest, and Retaliation (Not MOS [Member of the Service] to MOS) - For an IAB Complaint.
5. The New York City Civilian Complaint Review Board found as Other Misconduct for Erik Limardo an Improper Use of Body-Worn Camera.

In relevant part and in summary and substance, the CCRB investigation determined as follows.

On June 3, 2020, Officer Erik Limardo was involved in the arrest of persons in connection with a protest in midtown Manhattan. Officer Limardo failed to record the incident on his body-worn camera. Officer Limardo testified that when preparing summonses, he realized that the battery of his body-worn camera had died and thus he did not film the incident. Officer Limardo did not note in his memo book that he made any notifications about his dead battery or failure to record during a mandatory event.

NYPD Patrol Guide Procedure 212-123(1b), (3), (4h), (4j), (5) and (5a) state that officers must activate their body-worn cameras prior to engaging in or assisting with summonses or arrests. Officers must notify their supervisor when they fail to record a mandatory event and document this notification in their memo books. Prior to roll call, officers are to ensure that the batteries to their body-worn cameras are charged, and are instructed to notify the desk officer of any damage or malfunction of the device.

Officer Limardo testified that he did not record the incident because his camera's battery had died, and he did not write in his memo book that he notified a supervisor of his failure to record. While the Patrol Guide does not specifically address batteries dying mid-shift, as it places the responsibility on each officer to ensure proper battery life at the beginning of each shift and spells out the

notification process that each officer must take when there is a malfunction or failure to record, the procedure demonstrates that the onus is on the officer to ensure the mechanical integrity of his device. The officer neither recorded the event nor documented his failure to record, as required by Patrol Guide Procedure 212-123.

Various publicly available websites and databases contain disciplinary information for certain law enforcement officers. Two of these are online databases maintained by the New York City Police Department (NYPD) (<https://nypdonline.org/link/1026>) and the New York City Civilian Complaint Review Board (<https://www1.nyc.gov/site/ccrb/policy/MOS-records.page>). Information in such databases about this officer is not necessarily included in this advisory. For some NYPD disciplinary matters in which a departmental trial was held for an officer, the decision in the trial is included in the NYPD database under the “Documents” tab for that officer.

Any information herein regarding civil lawsuits against an officer is not necessarily a complete list of civil lawsuits in which that officer is a defendant.

Allegations of misconduct that have not been substantiated and are not pending (including, but not limited to, findings of unsubstantiated, unfounded, and exonerated), and allegations of technical infractions, are not subject to disclosure and are not included in this advisory.

The decision to include information in this advisory does not represent a conclusion by the People that it is required to be disclosed.

The People reserve the right to oppose or move to limit the use of any information included herein or disclosed in the future.

If you have any questions, please contact the Assistant District Attorney assigned to the case on which you are receiving this advisory.

Date: May 20, 2021